



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

MINUTES OF THE August 23, 2012 GENERAL MEETING

AGENDA

1. Call to Order

Chairman MacKay called the General Session to Order at approximately 9:35a.m.

2. Roll Call

Present in Las Vegas: Commissioner Monica B Metz, Commissioner George Assad, Administrative Attorney James Day, Applications Manager Liz Babcock, Financial Analyst Yvonne Shelton, Financial Analyst Lidia Aronova, and Deputy Attorney General Christopher Eccles. Present in Reno: Chairman Andrew J. MacKay, Deputy Commissioner Marilyn Skibinski, and Compliance Audit Investigator Gina Reynolds.

3. Pledge of Allegiance

Deputy Attorney General Christopher Eccles led a recital of the Pledge.

4. Public Comment:

None

5. Approval of Agenda

Administrative Attorney James Day asked that the notation for Item 23 be initialed GA, that Items 26, 27, 33, 34,35 and 36 be removed prior to consideration and that Items 49, 98 and 103 be taken out of order as counsel for the Applicants has another hearing to attend. Applications Manager Liz Babcock requested Items 56, 71 and 83 be considered separately and that Items 81 and 85 be removed prior to consideration. Approved as modified 3-0.

6. Approval of the Minutes of the July 19, 2012 Agenda Meeting

Approved 3-0.

7. Briefings from the Commissioners

Commissioner Metz thanked Saff for their diligence in completing the model tow tariff conversions. Chairman MacKay echoed Commissioner Metz' comments and also welcomed Commissioner Metz's Norwegian exchange student, Anders.

8. Briefing from the Deputy Commissioner

None.

9. Report of Legal Counsel

None.

ADMINISTRATIVE CITATIONS AND IMPOUNDMENTS

Items 10 thru 37 with the exception of 26, 27, 33, 34, 35 and 36 were considered collectively and approved 3-0.

- 10. Impound 1561 and Citation 15815** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 15815 issued to Ruben Chavez/Ruben's Tow Service for violations of NRS 706.386 and NRS 706.758. (AJM)
- 11. Impound 1920.** The impoundment pursuant to NRS 706.476 of a vehicle registered to Carol P. Salerno. (MJK)
- 12. Citations 15719 and 15720** issued to Toorageh Rahbar Azad for violations of NAC 706.354 (5 counts), NAC 706.247/49 CFR 396.11, and NAC 706.247/49 CFR 395.1 (14 counts). (MBM)
- 13. Citation 15721** issued to Irving M. Mead for violations of NAC 706.228(3) as amended by LCB File No. R127-07 and NAC 706.329. (MBM)
- 14. Citations 15725 and 15826** issued to Mulugeta Kebede Bour for violations of NAC 706 as amended by LCB File No. R127-07(1) and NAC 706.228(1) as amended by LCB File No. R127-07. (MBM)
- 15. Impound 1873.** The impoundment pursuant to NRS 706.476 of a vehicle registered to U-Haul. (MBM)
- 16. Impound 1874 and Citation 15737** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 15737 issued to Suk Jin Yoon/Thank You Taxi for violations of NRS 706.386 and NRS 706.758. (MBM)
- 17. Citation 15863** issued to Jose Mora for a violation of NAC 706 as amended by LCB File No. R127-07(1). (GA)
- 18. Citation 15871** issued to Jabriel Fernandez/Anytime Movers for violations of NRS 706.386 and NRS 706.758. (GA)
- 19. Citation 15878** issued to Victor John Piccolella for a violation of NRS 706.758. (GA)
- 20. Impound 1560.** The impoundment pursuant to NRS 706.476 of a vehicle registered to EAN Holdings, LLC. (GA)
- 21. Impound 1999 and Citation 15872** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 15872 issued to Scott Alexander for violations of NRS 706.386 and NRS 706.758. (GA)
- 22. Citation 15524** issued to Rapid Tow, LLC for a violation of NAC 706 as amended by LCB File No. R075-08.

23. Citations 15660 and 15661 issued to Erik McKissick/Active Movers for violations of NAC 706.247/49 CFR 391.51(b) (5 counts), NAC 706.247/49 CFR 391.51(b)(6) (4 counts), NAC 706.247/49 CFR 391.51(7)(i) (2 counts), and NAC 706.247/49 CFR 382.301(a) (1 counts).(GA)

24. Citation 15662 issued to Nobuaki Yamamoto/Vega International, Inc. for a violation of NAC 706.247/49 CFR 382.301(a).

25. Citation 15716 issued to Cedric L. Burton for a violation of NAC 706.228(3) as amended by LCB File No. R127-07.

26. Citations 15723 and 15724 issued to CLS Nevada, LLC for violations of NAC 706.247/49 CFR 395.1 (251 counts), NAC 706.311 (446 counts), NAC 706.203, and NAC 706.140.

Removed from Agenda prior to consideration.

27. Citations 15733 and 15734 issued to Royalty Limos, LLC dba Royalty Limos for violations of NAC 706.247/49 CFR 395.1 (175 counts), NAC 706.311 (13 counts), NAC 706.354 (6 counts), and NAC 706.140.

Removed from Agenda prior to consideration.

28. Citation 15738 issued to Ivan M. Ivanov for violations of NAC 706.228(5) as amended by LCB File No. R127-07 and NAC 706 as amended by LCB File No. R127-07(1).

29. Citation 15739 issued to Dariush Naimi for violations of NAC 706 as amended by LCB File No. R127-07(1) and NAC 706.228(3) as amended by LCB File No. R127-07.

30. Citation 15740 issued to Five Star Limo, LLC for a violation of NAC 706.360.

31. Citations 15741 and 15831 issued to CLS Transportation Las Vegas for violations of NAC 706.228(3) as amended by LCB File No. R127-07.

32. Citation 15813 issued to Mark Birthwright for a violation of NAC 706.228.

33. Citation 15833 issued to On Demand Sedan Service, Inc. for violations of NAC 706.311 and NAC 706.228(3) as amended by LCB File No. R127-07.

Removed from Agenda prior to consideration.

34. Citation 15837 issued to Desert Cab, Inc. dba Odyssey Limo for violations of NAC 706.360 and NAC 706.311.

Removed from Agenda prior to consideration.

35. Citations 15842 and 15843 issued to Desert Cab, Inc. dba Odyssey Limo for violations of NAC 706.360 (32 counts), NAC 706.311 (571 counts), and NAC 706.247/49 CFR 395.1 (12 counts).

Removed from Agenda prior to consideration.

36. Citations 15844 and 15845 issued to On Demand Sedan Service, Inc. for violations of NAC 706.311 (1,659 counts), NAC 706.247/49 CFR 395.1 (11 counts), and NAC 706.228(3) as amended by LCB File No. R127-07.

Removed from Agenda prior to consideration.

37. Citation 15870 issued to Ivan M. Ivanov for violations of NAC 706.228 and NAC 706 as amended by LCB File No. R127-07(1).

**ADOPTION OF FEDERAL APPROVAL OF TRANSFER OF CERTIFICATES OF
PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE CHARTER BUS SERVICE**

- 38. Docket No. 12-07007** The Authority will consider whether to adopt the United States Surface Transportation Board's approval of the sale and transfer of CPCN 2113 from CUSA AWC, LLC to All West Coachlines, Inc. and CPCN 2121 from CUSA Elko, LLC to Elko, Inc. Staff investigation concluded.

Commissioner Metz noted that the Order will include standard compliance items for transfers of this type. Approved 3-0.

**APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND
NECESSITY TO PROVIDE TOW CAR SERVICE**

- 39. Docket No. 11-08015** The Application of ARB Las Vegas, Inc. a Nevada Corporation, d/b/a Las Vegas Towing for a certificate of public convenience and necessity to provide tow car service by tow car vehicle within the State of Nevada. Staff investigation concluded.

Commissioner Metz noted that the matter should be treated as a correction of the Authority's prior final Order. Correction to prior Order – Approved 3-0.

- 40. Docket No. 12-02017** The Application of Las Vegas Parking Enforcement, Inc. d/b/a Red Rock Towing for a certificate of public convenience and necessity to provide tow car service by tow car vehicle within the State of Nevada. Staff investigation concluded.

Commissioner Metz questioned the timekeeping method. Mr. David Kimball and Mr. Carl Saynay stated that drivers will clock in and out via Fleetratics which links with a Garmin GPS unit for all on duty time. Approved 3-0.

- 41. Docket No. 12-02024** The Application of Around Town Towing, LLC for a certificate of public convenience and necessity to provide tow car service by tow car vehicle within the State of Nevada. Staff investigation concluded.

Luis Morales, Owner, Around Town Towing was present and thanked staff. Approved 3-0.

- 42. Docket No. 12-04010** The Joint Application of RJK Resources, Inc. d/b/a Vegas Valley Towing for authority to sell and transfer and Vegas Valley Towing, Inc. to purchase and acquire the authority to provide tow car service within the State of Nevada, granted under Certificate of Public Convenience and Necessity (CPCN) 7192, Sub 3. Staff investigation concluded.

Commissioner Metz questioned the timekeeping method to be used. The seller of RJK Resources, Inc., Roumen and JoAnne Stefanov, indicated they would continue to use the same timekeeping methods, a time clock will be used for on duty time, a computer GPS to be used for time of tows. Order to reflect time clock - Approved 3-0.

- 43. Docket No. 12-05011** The Application of Royalty Towing, LLC d/b/a Royalty Towing for a certificate of public convenience and necessity to provide tow car service by tow car vehicle within the State of Nevada. Staff investigation concluded.

Administrative Attorney Jim Day reported that the timekeeping method was a dedicated timekeeping and attendance software product from ADP, and that he would add documentation of the software to the file. Approved 3-0.

**APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND
NECESSITY TO PROVIDE CHARTER BUS SERVICE**

- 44. Docket No. 11-12007** The temporary discontinuance from December 2, 2011 through June 2, 2012 of services provided by Vegas Con Xpress and Wear, LLC d/b/a Las Vegas Con Xpress under CPCN 2139. Staff investigation concluded.

Staff requested an Order to Show Cause as there has been no communication with the carrier and the carrier is apparently out of business and unreachable. Issue an Order to Show Cause - Approved 3-0.

VOLUNTARY CANCELLATIONS

- 45. Docket No. 12-07017** The voluntary cancellation by Alberto Gomez d/b/a Vegas Towing of Certificate of Public Convenience and Necessity 7288. Staff investigation concluded.

- 46. Docket No. 12-07020** The voluntary cancellation by Frank's Towing, Inc. of Certificate of Public Convenience and Necessity 7217, Sub 1. Staff investigation concluded.

- 47. Docket No. 12-08001** The voluntary cancellation by Oscar Gonzalez d/b/a Mr. G's Towing Service of Certificate of Public Convenience and Necessity 7270. Staff investigation concluded.

Items 45, 46 and 47 were considered collectively – Approved 3-0.

NAME CHANGES

- 48. Docket No. 12-07023** The Petition of Airline Limousine Corporation to change their name to Airline Limousine Corporation d/b/a Airline Shuttle Corp. for services conducted under CPCN 2050.3. Staff investigation concluded. (AJM)

Neil Tomlinson ,Esq. and Terry Flink , Systems Operation Manager for Frias, were present on behalf of Applicant. Approved 3-0 with Order amended to reflect Interim Order had previously been issued.

PETITIONS TO DEVIATE FROM REGULATIONS

- 49. Docket No. 12-08005** The Petition to Deviate from Regulations pursuant to NAC 706.1305 filed by Bell Trans and Presidential Limousine seeking Authority approval to deviate from NAC 706.247/49 CFR 396.13 with respect to certain vehicle inspection and recordkeeping requirements.

Kimberly Maxson-Rushton, Esq. appeared on behalf of the Petitioner and summarized the request. J.J. Bell, on behalf of Bell Trans, discussed the process that is followed when a vehicle is taken out of service. Deputy Attorney General Christopher Eccles expressed Staff concerns with regard to the plain language issue and enforcement concerns. Granted 2-1 (with Commissioner Metz dissenting) only for as long as the Petitioners maintain the current system as demonstrated to Authority Staff.

PETITIONS FOR RECONSIDERATION

- 50. Docket No. 12-08009** Petition for Reconsideration of the Authority's July 25, 2012 Order in the matter of Citation 15860 issued to Clarence Adams for a violation of NRS 706.386. Respondent argues that his failure to appear at the citation hearing was excusable and that the \$5,000.00 fine imposed in the matter should be waived, or in the alternative, reduced. **(MBM)**

The Respondent was present with legal counsel, Marc Sagesse, Esquire. Commissioner Metz recommended that the Petition be granted for a new hearing and the matter reset. Granted 3-0.

FINANCIAL RATES AND TARIFFS

Items 51 thru 93 with the exception of 51, 56, 71, 81, 82, 83, and 85 were considered collectively and approved 3-0.

- 51. Docket No. 10-06009** The Application of John Baker Enterprises, Inc. d/b/a Emerald Bay Towing for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7081, Sub 2. Staff investigation concluded.

A protest was filed by Michael Keller of AAA Insurance. Michael Keller and John Rubins of AAA Insurance expressed concerns regarding several of the rates in the tariff modification. John Baker, Owner/Applicant, addressed the rates involved in the discussion and the rationale for the changes. Approved 3-0.

- 52. Docket No. 11-11017 #1** The Application of Alpine Auto Service, Inc. d/b/a Alpine Towing for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7070. Staff investigation concluded.

- 53. Docket No. 11-11017 #2** The Application of Tow Guys, Inc. d/b/a Tow Guys for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7108, Sub 3. Staff investigation concluded.

- 54. Docket No. 11-11017 #6** The Application of Hanneman Service, LLC for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 3155, Sub 1. Staff investigation concluded.

- 55. Docket No. 11-11017 #9** The Application of Vegas Heavy Haul, Inc. d/b/a Big Valley Towing for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7238, Sub 1. Staff investigation concluded.

- 56. Docket No. 11-11017 #15** The Application of Quick Tow, Inc. d/b/a Quick Response for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7202, Sub 1. Staff investigation concluded.

Items 56 and 71 were considered jointly and approved 3-0.

- 57. Docket No. 11-11017 #16** The Application of James E. Tregellas and Linda L. Tregellas d/b/a A-1 Auto Repair and Tow Service for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 8002. Staff investigation concluded.

- 58. Docket No. 11-11017 #17** The Application of Custom Towing, Inc. for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7057, Sub 1. Staff investigation concluded.

- 59. Docket No. 11-11017 #25** The Application of De Boer Brothers, Inc. d/b/a Big John's Towing for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 8001. Staff investigation concluded.

- 60. Docket No. 11-11017 #30** The Application of City Wide Enterprises, A Nevada Corporation d/b/a City Wide Towing for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 3211. Staff investigation concluded.

- 61. Docket No. 11-11017 #33** The Application of B & E, Inc. d/b/a SNAP Towing for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7042, Sub 2. Staff investigation concluded.
- 62. Docket No. 11-11017 #35** The Application of Mai Niv Enterprises, Inc. d/b/a ABC Towing and South West Auto Towing for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7242, Sub 1. Staff investigation concluded.
- 63. Docket No. 11-11017 #36** The Application of Cramer Automotive, Inc. for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7089, Sub 1. Staff investigation concluded.
- 64. Docket No. 11-11017 #39** The Application of AAAA Two Star Towing, Inc. d/b/a AAAA Two Star Towing for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7123, Sub1. Staff investigation concluded.
- 65. Docket No. 11-11017 #42** The Application of Christian Enterprises, Inc. d/b/a Pro Towing for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7087, Sub 1. Staff investigation concluded.
- 66. Docket No. 11-11017 #43** The Application of American Auto Towing, Inc. d/b/a STS Towing for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7266. Staff investigation concluded.
- 67. Docket No. 11-11017 #44** The Application of 24/7 Towing, Inc. d/b/a 24/7 Towing for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7119, Sub 2. Staff investigation concluded.
- 68. Docket No. 11-11017 #45** The Application of Nevada Towing, Inc. for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7204. Staff investigation concluded.
- 69. Docket No. 11-11017 #48** The Application of Day and Night Towing, Inc. for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7125, Sub 1. Staff investigation concluded.
- 70. Docket No. 11-11017 #51** The Application of Richard Davidson d/b/a Rick's Mr. Tow for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7168. Staff investigation concluded.
- 71. Docket No. 11-11017 #53** The Application of Larry R. & Johanna R Richards d/b/a Woody's Automotive & Towing for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7088, Sub 1. Staff investigation concluded.

Items 56 and 71 were considered jointly and approved 3-0.

- 72. Docket No. 11-11017 #55** The Application of ASAP Towing, Inc. d/b/a State Wide Towing for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7210. Staff investigation concluded.

73. Docket No. 11-11017 #56 The Application of Hook-Up Towing Services, LLC d/b/a Hook-Up Towing Services for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7284. Staff investigation concluded.

74. Docket No. 11-11017 #58 The Application of Main Gate Towing, LLC d/b/a Titan Towing for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7257, Sub 1. Staff investigation concluded.

75. Docket No. 11-11017 #59 The Application of USA Towing, Inc. for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7273. Staff investigation concluded.

76. Docket No. 11-11017 #60 The Application of C & J Development Enterprises d/b/a Custom Towing for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7061. Staff investigation concluded.

Applications Manager Liz Babcock described the Applicant's "tarp fee" and reported that the Applicant requested that the tariff be made effective September 1, 2012 to accommodate changes to their computer system. Approved 3-0, tariff to be effective September 1, 2012.

77. Docket No. 11-11017 #62 The Application of Mike Phillips d/b/a A & B Service for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7020, Sub 1. Staff investigation concluded.

78. Docket No. 11-11017 #63 The Application of CEL JIM, Inc. d/b/a Jim's Tire Factory for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7031, Sub 2. Staff investigation concluded.

79. Docket No. 11-11017 #64 The Application of JMR & CLS, Inc. d/b/a Tri-State Towing & Recovery for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7141. Staff investigation concluded.

80. Docket No. 11-11017 #68 The Application of Fast Towing, Inc. for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7161. Staff investigation concluded.

81. Docket No. 11-11017 #69 The Application of The Tow Truck Co., Inc. for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7136, Sub 2. Staff investigation concluded.

Removed from Agenda prior to consideration.

82. Docket No. 11-11017 #73 The Application of A & A Towing, Inc. for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7209, Sub 1. Staff investigation concluded.

Mr. Drew Ribar, Owner, was present on behalf of the Applicant. Applications Manager Liz Babcock stated that the Applicant agreed with all but the lien fees. A discussion ensued with regard to method to convert the rates. Approved 3-0 with the lien fee amended to \$126.25.

83. Docket No. 11-11017 #74 The Application of Roadway Company d/b/a Roadway Towing and Recovery for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7128. Staff investigation concluded.

Applications Manager Liz Babcock summarized minor changes to the proposed tariff. Approved 3-0 with the noted changes.

84. Docket No. 11-11017 #77 The Application of Gilbert A. Solis Lopez d/b/a Best's Towing for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7200, Sub 1. Staff investigation concluded.

85. Docket No. 11-11017 #79 The Application of Auto Partners, Inc. d/b/a Auto Guardian for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7140, Sub 1. Staff investigation concluded.

Removed from the Agenda prior to consideration.

86. Docket No. 11-11017 #80 The Application of Mesquite Towing Company, LLC for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7233. Staff investigation concluded.

87. Docket No. 11-11017 #81 The Application of Dick Craig d/b/a Dick Craig Towing for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7033. Staff investigation concluded.

88. Docket No. 11-11017 #82 The Application of Rush In Towing, LLC for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7221, Sub1. Staff investigation concluded.

89. Docket No. 11-11017 #83 The Application of National Tow & Road Service, Inc. for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 8007, Sub1. Staff investigation concluded.

90. Docket No. 11-11017 #84 The Application of M & M Tow & Transport, LLC for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7149, Sub1. Staff investigation concluded.

91. Docket No. 11-11017 #85 The Application of Michael A. Mandichak d/b/a Mike's Auto & Truck Repair for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7082, Sub 1. Staff investigation concluded.

92. Docket No. 11-11017 #86 The Application of PDQ Towing, LLC for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 7278. Staff investigation concluded.

93. Docket No. 11-11017 #88 The Application of Harold L. Carr and Susan A. Carr d/b/a Indian Springs Towing for approval of a tariff rate modification for tow car services conducted under Certificate of Public Convenience and Necessity 3327. Staff investigation concluded.

94. Docket No 11-12001 The Application of Badly Scattered Land and Cattle Company d/b/a Medic Coach Service for approval of a tariff rate modification for non-emergency medical transportation services conducted under Certificate of Public Convenience and Necessity 2413, Sub 2. Staff investigation concluded.

Chairman MacKay summarized the matter. Applications Manager Liz Babcock stated that the Applicant has been unresponsive since the initial filing. Application denied 3-0.

95. Docket No. 12-06010 The Application of All My Sons Moving and Storage of Las Vegas, Inc. for approval of a tariff rate modification for household goods moving services conducted under Certificate of Public Convenience and Necessity 3256. Staff investigation concluded.

Financial Analyst Yvonne Shelton summarized the Application and indicated Staff support. Commissioner Metz suggested that the peak and off-peak rates be consolidated as they are identical. Approved 3-0 with the amendment suggested by Commissioner Metz.

96. Docket No. 12-07025 The Application of Las Vegas Limousines, A Nevada Corporation for approval of a tariff rate modification for charter limousine services conducted under Certificate of Public Convenience and Necessity 2258, Sub5. Staff investigation concluded.

Neil Tomlinson, Esq. was present on behalf of the Applicant. Chairman MacKay summarized, and Applications Manager Liz Babcock indicated Staff support. Approved 3-0.

97. Docket No. 12-07026 The Application of Airline Limousine Corporation for approval of a tariff rate modification for airport transfer and special services conducted under Certificate of Public Convenience and Necessity 2050, Sub3. Staff investigation concluded.

Neil Tomlinson, Esq. was present on behalf of the Applicant. Applications Manager Liz Babcock summarized and indicated Staff support. Approved 3-0.

98. Docket No. 12-08004 The Application of Abraham Limo Service, Inc. d/b/a ALV for approval of a tariff rate modification for charter limousine services conducted under Certificate of Public Convenience and Necessity 1104, Sub1. Staff investigation concluded.

Kimberly Maxson-Rushton, Esq. was present on behalf of the Applicant. Approved 3-0.

99. Docket No. 12-08007 The Application of On Demand Services, Inc. d/b/a AAA ODS Limousine, ODS Limousine, ODS Chauffeured Transportation, and On Demand Sedan & Limousine for approval of a tariff rate modification for charter limousine services conducted under Certificate of Public Convenience and Necessity 1040, Sub3. Staff investigation concluded.

Brent Carson, Esquire was present on behalf of the Applicant. Applications Manager Liz Babcock summarized the Application. Commissioner Metz questioned the ½ hour rate equaling the 1 hour rate, meaning that the carrier is not genuinely utilizing the ½ hour rate. Mr. Carson summarized the history of the ½ hour rate and the expectation that the carrier would utilize a distinct ½ hour rate again in the future. Mr. Carson reported that the Applicant wants to preserve the ½ hour rate. Approved 3-0 with the exception of the proposed changes to the sedan section of the tariff, which are tabled until the next general session.

100. Docket No. 12-08008 The Application of Desert Cab, Inc. d/b/a Odyssey Limousine for approval of a tariff rate modification for charter limousine services conducted under Certificate of Public Convenience and Necessity 1075, Sub1. Staff investigation concluded.

Brent Carson, Esq. was present on behalf of the Applicant. Chairman MacKay summarized the Application and recommended approval. Approved 3-0.

APPLICATIONS FOR FULLY REGULATED CARRIERS

101. Docket No. 11-02020 The Application of Top Limo Las Vegas, LLC for a certificate of public convenience and necessity to operate as a common carrier of passengers to provide charter limousine service in the State of Nevada. Staff investigation concluded. (GA)

Mr. James Kent, Esq. and Mr. Vartan Sarkissyan, owner, were present on behalf of the Applicant. Commissioner Assad summarized and recommended approval with the restrictions and compliance items set forth in the proposed Order. Mr. Kent asked to remove the proposed restriction on expansion. Staff

reported no concerns about lifting the restriction against expansion. Commissioner Assad modified his recommendation to drop the expansion restriction. Approved 3-0 as modified.

- 102. Docket No. 12-07022** The Request for a temporary discontinuance from August 14, 2012 through September 1, 2012 of services provided by Quilter Services of Las Vegas, LLC d/b/a Quilt Tours of Las Vegas granted under certificate of public convenience and necessity 2124. Staff investigation concluded.

Approved 3-0.

PETITIONS

- 103. Docket No. 12-08002** The Petition of Open Top Sightseeing Las Vegas, LLC for permission to prepare and submit their annual report on other than a calendar year for regular route scenic tour services conducted under certificate of public convenience and necessity 2004, Sub 9. Staff investigation concluded.

Kimberly Maxson-Rushton, Esquire was present on behalf of the Petitioner. Applications Manager Liz Babcock noted Petitioner would need to file two short filings to accommodate the annual report requirements for the current year and that Staff has no issues with the change. Approved 3-0.

DISCUSSION ITEMS

- 104. Docket No. 12-08010** The Authority will discuss the issue raised in a letter dated August 6, 2012 from Camilla Sparks of Quality Towing (CPCN 3069.3) regarding whether a tow carrier could maintain flat tariff rates for LVMPD tows only, and hourly tariff rates for all other tows.

Bruce SanFilippo and Camilla Sparks, Collections Manager for Quality Towing were present and summarized the issue. Commissioner Metz stated that there is the potential to have multiple law enforcement tariffs, but that the Authority had previously determined that the practice would be permitted. The Authority reaffirmed the prior position through an Order for the file. Approved 3-0.

- 105. Docket No. 12-08011** The Authority will discuss the issue raised by Norm Chamberlin of Valley Towing, in Carson City, Nevada, regarding Category C mileage rates after 10 miles, specifically as addressed in NAC 706.408.

Mr. Norm Chamberlin, Valley Towing, was present and summarized the issue. Clark Whitney, Tow Guys, commented as to the reasoning the original regulation was put into place. Administrative Attorney James Day indicated a .1305 deviation could be utilized. A discussion ensued with regard to the regulation as it is currently written. Ms. Babcock questioned if all carriers with hourly rates would be granted the deviation, Commissioner Metz stated the deviations could be handled as they are requested. David Walker, Walker Towing, and Drew Ribar, A & A Towing, voiced their opinions with regard to the hourly rate vs. flat rate Category C filings. Deputy Attorney General Christopher Eccles indicated NAC 706.408 falls outside the range a .1305 deviation would encompass and a Hearing Officer should be assigned. Chairman MacKay was assigned as a Hearing Officer – Hearing Officer assignment approved 3-0.

- 106.** The Authority will discuss the appropriate application and interpretation of NRS 706.4481(1), with respect to the release of vehicle by a tow carrier to an insurer. (AJM)

Chairman MacKay summarized the regulation, stating the tow carrier is obligated to release a vehicle to an insurer when the insurer provides the specific form for release. Transmission of the form can be done by email, fax, or hand-carried. The tow carrier must request the form for release and, upon receipt, release the vehicle.

Public Comment

Commissioner George Assad noted a public hearing to address the “walk and tag” issue would be held Thursday, September 13, 2012 at 10:30 a.m.

John Rubins, AAA voiced his concerns with regard to the annual 10% tariff increases. Applications Manager Liz Babcock explained the procedure Staff utilizes in the review of tariff rates and increases. Commissioner Metz explained the procedure the Authority would be following for future tariff rate increases.

Adjournment

Meeting adjourned at approximately 2:05 p. m.